

1 BARRY J. PORTMAN
Federal Public Defender
2 CYNTHIA C. LIE
Assistant Federal Public Defender
3 160 West Santa Clara Street, Suite 575
San Jose, CA 95113
4 Telephone: (408) 291-7753
5 Counsel for Defendant PORTER

6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR-07-70081 PVT
11)
Plaintiff,)
12)
vs.) STIPULATION, WAIVER AND
13) [PROPOSED] ORDER CONTINUING
JOKAELLE PORTER,) PRELIMINARY HEARING AND
14) EXCLUDING TIME FOR INDICTMENT
Defendant.)
15 _____)

16 **STIPULATION AND WAIVER**

17 The parties hereby stipulate and agree that the date currently set for preliminary hearing
18 and/or arraignment may be continued for three weeks from May 17, 2007 to June 7, 2007 at 9:30
19 a.m. Mr. Porter, by his signature below, further consents to extend by three weeks the time for
20 preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure. The purpose of
21 the requested continuance is to facilitate the parties' efforts to reach a pre-indictment resolution.
22 The parties further agree that the intervening three weeks may be excluded from the time within
23 which an indictment shall be filed, as the reasonable time necessary for effective preparation
24 under 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

1 Dated: May 10, 2007

2 s/_____
3 CYNTHIA C. LIE
Assistant Federal Public Defender

4 Dated: May 10, 2007

5 s/_____
6 JOKAELLE PORTER
Defendant

7 Dated: May 2, 2007

8 s/_____
9 THOMAS M. O'CONNELL
Assistant United States Attorney

10 **[PROPOSED] ORDER**

11 Good cause appearing and by stipulation of the parties, it is hereby ordered that the date
12 set for preliminary hearing and/or arraignment in the above-captioned matter shall be continued
13 from Thursday, May 17, 2007 to Thursday, June 7, 2007 at 9:30 a.m.

14 It is further ordered that 21 days shall be excluded from the time within which an
15 indictment shall be filed under the Speedy Trial Act, as the reasonable time necessary for
16 effective preparation of counsel, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B)(iv).
17

18 Dated: May ___, 2007

19 _____
20 HOWARD R. LLOYD
United States Magistrate Judge